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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,083	12/04/2003	Masashi Hamada	CANO:102	7661
7590 ROSSI & ASSOCIATES P.O. Box 826 Ashburn, VA 20146-0826			EXAMINER SHEDRICK, CHARLES TERRELL	
			ART UNIT 2617	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/728,083

Applicant(s)

HAMADA, MASASHI

Examiner

Charles Shedrick

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-14 is/are pending in the application.
- 4a) Of the above claim(s) 4 and 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/1/07 has been entered.

Response to Arguments

Regarding the Applicant's amendments to improve the form and clarity, The Examiner thanks the Applicants for the clarifications.

1. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Wilkes et al. teach a modular wireless system. Wilkes et al. teach that by using an inventive method of automatically or manually setting certain parameters within the base station a modular infrastructure could be achieved making it less difficult to connect to the existing marketplace (e.g., see paragraph 0008). Hodoshima teaches a parameter setting system capable of easily and accurately carrying out setting of parameters required to connect to a network (e.g., paragraph 0005). Therefore, it would have been obvious to a person of ordinary

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skill in the art at the time the invention was made to modify Wilkes to include network constructs using system identification codes for the purpose of setting parameters easily and accurately setting parameters such as SSID's as taught by Hodoshima in e.g., paragraph 0006.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-3, and 6-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wilkes et al.** US Pub No. 2003/0058818 A1 in view of **Hodoshima et al.**, hereinafter "**Hodoshima**" US Pub No. 2003/0115339 A1.

Consider **claims 1 and 14**, **Wilkes et al.** teach a wireless base station **210 (figure 2)** and a computer-readable storage medium storing a computer program that constructs a wireless communication network **240 (figure 2)**, comprising: a scanning unit adapted to recognize a network identification **350, 310** (either interface can be used based on the origin. The Base stations can also listen or request which is equivalent to actively or passively scanning) (**figure 3**;

see also paragraph 0049); and a setting unit **320, 330 (figure 3)** adapted to automatically set the network identification for identifying a wireless communication network controlled by the wireless base station (e.g., the base station can join the network or participate with other base stations joining the network automatically or via manual communication thus constructing a network by setting and scanning means) **(figure 3) (paragraphs 0031,0035,0042)**, based on the network identification scanned by the scanning unit (e.g., see paragraph 0049), wherein said setting unit automatically sets the Network identification of the wireless base station different from the Network identification scanned by said scanning unit (i.e., The base station looks for IP addresses or other forms of system ID that are assigned in the network. Once the base station understands the system identification allocation it automatically or manually assigns itself some form of identification in order to join the network **(paragraphs 0039 –0049, more specifically see paragraph 0049)**

However, Wilkes et al. do not clearly disclose using system identification codes.

In the same field of endeavor, Hodoshima uses a system identification code (e.g., SSID wireless stations and access points using the WLAN transmission standard in figures and at least paragraphs 0053,0062-0063 and claim 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Wilkes to include network constructs using system identification codes for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 2** and **as applied to claim 1 above**, **Wilkes et al.** teach a wireless base station **210_1 (figure 2)** further comprising: a first receiving unit **350, 310** (either interface can

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be used based on the origin) (**figure 3**) adapted to receive a notification signal (i.e., a response to a DHCP broadcast or protocol advertisement) from the another wireless base station **210_2** (**figure 2**) (**paragraph 0048**); and wherein said scanning unit recognizes the identification used by the other wireless base station based on the notification signal received by said first receiving unit (**paragraphs 0031, 0035, 0042**) .

However, Wilkes et al. do not clearly disclose using system identification codes.

In the same field of endeavor, Hodoshima uses a system identification code (e.g., SSID wireless stations and access points using the WLAN transmission standard in figures and at least paragraphs 0053,0062-0063 and claim 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Wilkes to include network constructs using system identification codes for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 3** and as applied to **claim 1** above, Wilkes et al. teach a wireless base station **210_1** (**figure 2**) further comprising: a second receiving unit **350, 310** (either interface can be used based on the origin) (**figure 3**) adapted to receive response signal responsive to a request from the wireless base stations **210_2** (**figure 2**); said scanning unit **350, 310** (either interface can be used based on the origin) (**figure 3**) scans another wireless base station based on the signal received by said second receiving unit(**paragraphs 0056 and 0101**).

However, Wilkes et al. do not clearly disclose using system identification codes.

In the same field of endeavor, Hodoshima uses a system identification code (e.g., SSID wireless stations and access points using the WLAN transmission standard in figures and at least paragraphs 0053,0062-0063 and claim 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Wilkes to include network constructs using system identification codes for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 6** and **as applied to claim 1 above, Wilkes et al.** teach a wireless base station **210 (figure 2)** further comprising: a generating unit **320 (figure 3)** adapted to generate an IP address set by said setting unit (**paragraphs 0034 and 0035**).

However, Wilkes et al. do not clearly disclose using system identification codes.

In the same field of endeavor, Hodoshima uses a system identification code (e.g., SSID wireless stations and access points using the WLAN transmission standard in figures and at least paragraphs 0053,0062-0063 and claim 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Wilkes to include network constructs using system identification codes for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 7** and **as applied to claim 6 above, Wilkes et al.** teach a wireless base station **210 (figure 2)** wherein said generating unit **320 (figure 3)** generates the IP address different to the IP address previously generated, based on the IP address previously scanned by said scanning unit (i.e., The base station looks for IP addresses or other forms of system ID that

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are assigned in the network. Once the Base station understands the system identification allocation it automatically or manually assigns itself some form of identification in order to join the network. It is also well known in the art that DHCP, as well as other protocols can assign based on a rules such as lease expiration in order to prevent the previously assigned address being re-assigned (**paragraphs 0039 –0049**).

However, Wilkes et al. do not disclose a system identification code being generated.

In the same field of endeavor, Hodoshima discloses a generating unit for a system identification code (i.e., at least **paragraph 0009** the access point can generate the SSID). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the wireless base station of Wilkes et al. for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 8** and **as applied to claim 6 above**, Wilkes et al. teach the claimed invention except the generating unit does not specifically disclose automatically generating a system identification code (**paragraph 0042**).

In the same field of endeavor, Hodoshima discloses a generating unit for a system identification code (i.e., at least **paragraph 0009** the access point can generate the SSID). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the wireless base station of Wilkes et al. to generate a SSID as taught by Hodoshima for the purpose of **automating the generation** of SSID's and for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

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Consider **claim 9** and **as applied to claim 6 above, Wilkes et al.** teach the claimed invention except the generating unit does not specifically disclose generating a system identification code (**paragraph 0042**).

In the same field of endeavor, Hodoshima discloses a generating unit for a system identification code (i.e., at least **paragraph 0009** the access point can generate the SSID). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the wireless base station of Wilkes et al. to generate a SSID as taught by Hodoshima for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 10** and **as applied to claim 1 above, Wilkes et al.** teach the claimed invention except the scanning unit does not specifically disclose scans the system identification code used by a plurality of channels.

In the same field of endeavor, Hodoshima discloses a recognizing unit for a system identification code recognize unit but does not specifically disclose recognizing a system identification code used by a plurality of channels (i.e., wireless stations and access points using the WLAN transmission standard in figures and at least **paragraphs 0053,0062-0063, 0075 and claim 1**).

Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the wireless base station of Wilkes et al. to recognize an SSID used by a plurality of channels as taught by Hodoshima for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 11** and as applied to **claim 1** above, **Wilkes et al.** clearly disclose the claimed invention except for clearly identifying a system identification code that is a Service Set Identifier for use in a wireless LAN communication according to IEEE.802.11 Standard.

In the same field of endeavor, Hodoshima teaches a system identification code that is a Service Set Identifier for use in a wireless LAN communication according to IEEE.802.11 Standard (i.e., **at least paragraph 0003**)

Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the wireless base station of Wilkes et al. to include a system identification code that is a Service Set Identifier for use in a wireless LAN communication according to IEEE.802.11 Standard as taught by Hodoshima for the purpose of extending the base stations to a WLAN environments and for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.

Consider **claim 12** and as applied to claim 1 above, Wilkes et al. teaches the claimed invention except that the base station is a access point for performing a wireless LAN communication according to IEEE 802.11 standard.

In the same field of endeavor, Hodoshima teaches that the base station is an access point for performing a wireless LAN communication according to IEEE 802.11 standard (i.e., **see at least paragraph 0061**).

Therefore, it would have been obvious at the time the invention was made to modify Wilkes et al. for the purpose of using a base station that is an access point for performing a wireless LAN communication according to IEEE 802.11 standard as taught by Hodoshima.

Consider **claim 13 (the previous arguments above also applies to claim 13)**, **Wilkes et al.** teach a control method (i.e., control of the base stations being added to the network, how the base stations communicate while being added can be controlled based on the methods disclosed) for a wireless base station **210 (figure 2)** that constructs a wireless communication network **240 (figure 2)**, comprising: scanning step (**paragraphs 0039-0049**) of scanning ; and setting step for automatically setting (**paragraphs 0039-0049**) (i.e., the base station can join the network or participate with other base stations joining the network automatically or via manual communication thus constructing a network by setting and scanning means) (**figure 3**) (**paragraphs 0031,0035,0042**), wherein said setting unit sets a Network identification different from the Network identification scanned by said scanning unit (i.e., The base station looks for IP addresses or other forms of system ID that are assigned in the network. Once the base station understands the system identification allocation it automatically or manually assigns itself some form of identification in order to join the network (**paragraphs 0039 –0049, see more specifically paragraph 0049**))

However, Wilkes et al. do not clearly disclose using system identification codes.

In the same field of endeavor, Hodoshima uses a system identification code (e.g., SSID wireless stations and access points using the WLAN transmission standard in figures and at least paragraphs 0053,0062-0063 and claim 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Wilkes to include network constructs using system identification codes for the purpose of setting parameters easily and accurately setting parameters such SSID's as taught by Hodoshima in e.g., paragraph 0006.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Shedrick whose telephone number is (571)-272-8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid Lester can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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May 8, 2007


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